

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
DOCKET NO. 3:18-CV-149-MOC-DCK**

**KIMBERLY CHANDLER,**

**Plaintiff,**

**v.**

**W.B. MOORE COMPANY OF CHARLOTTE,  
INC.,**

**Defendant.**

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**ORDER**

**THIS MATTER IS BEFORE THE COURT** on “Defendant’s Response In Opposition To Plaintiff’s Motion For Protective Order To Cancel Plaintiff’s Deposition Tomorrow And To Reconsider Order Entered Today At 3:27 PM” (Document No. 34) filed September 13, 2018. This matter has been referred to the undersigned Magistrate Judge pursuant to 28 U.S.C. § 636(b), and immediate review is appropriate.

Although the instant filing is captioned as “Defendant’s Response...” (Document No. 34) it also acknowledges that the Court has already ruled on the underlying “...Motion For Protective Order” (Document No. 31), and requests that the Court order that the cancelled deposition should proceed on September 14, 2018. See (Document No. 33). To the extent Defendant’s filing is properly viewed as a “Motion To Reconsider,” such request will be respectfully denied.

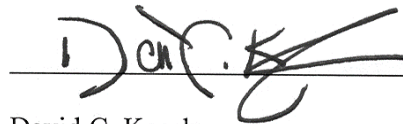
The Court appreciates counsel’s concern about being fully prepared for mediation; however, the undersigned has already extended the deadline to complete mediation by several months. (Document No. 33). The parties are encouraged to complete discovery and *then* engage

in good faith discussions with a mediator. In short, the undersigned is not persuaded that the postponement of Plaintiff's deposition or the mediation deadline will cause either party significant prejudice.

**IT IS, THEREFORE, ORDERED** that to the extent Defendant's recent filing is construed as a "Motion To Reconsider" (Document No. 34), such request is **DENIED**. The deposition scheduled for **September 14, 2018**, is **CANCELLED**. The parties shall reschedule Plaintiff's deposition.

**SO ORDERED.**

Signed: September 13, 2018

  
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David C. Keesler  
United States Magistrate Judge

